

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 09-CV-11782-RGS

DAVID BEAULIEU, LISA BEAULIEU,
MARIO BEAULIEU, SR., and
TANYA WARREN

v.

CITY OF LAWRENCE, et al.

ORDER ON PLAINTIFFS' MOTION TO RECONSIDER
DISMISSAL OF CHIEF JOHN ROMERO

June 8, 2011

STEARNS, D.J.

In its Order of May 17, 2011, the court entered a dismissal of all claims against Chief Romero in his individual capacity believing from a vaguely worded "stipulation" that such was the intent of the parties. It is clear, however, from plaintiffs' motion to reconsider and Chief Romero's opposition that there never was a stipulation between the parties or a meeting of the minds on the issue. The court will therefore ALLOW the motion to reconsider. Plaintiffs will, however, on or before June 16, 2011, SHOW CAUSE why a dismissal as to Chief Romero should not enter (without prejudice to any potential *Monell* claim) for the reasons the court stated in entering the dismissal in *Alicea v. Wilcox*, 09-CV-12231 (Memorandum and Order of May 8, 2011). At this point, the court sees no material differences in the allegations (or insufficiencies

thereof) of the two Complaints. *See Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 559 (2007).

SO ORDERED.

/s/ Richard G. Stearns

UNITED STATES DISTRICT JUDGE